

FILED

BOARD OF OPTOMETRISTS

Susan Gartland

JUL 19 2000

Susan Gartland
Executive Director

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF OPTOMETRISTS

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF :

Administrative Action

GRACE MATOS :
License No 0A 5403 :

FINAL ORDER
OF DISCIPLINE

TO PRACTICE OPTOMETRY :
IN THE STATE OF NEW JERSEY :

This matter was opened to the New Jersey State Board of Optometrists upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made.

FINDINGS OF FACT

1. Respondent is an optometrist in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On the 30th day of June, 1999, the Board of Optometrists initiated a random audit of renewal applications for the 1998-1999 period, asking licensees to submit proof with regard to the satisfaction of continuing education requirements for the biennial renewal period, i.e. sixty (60) credit approval hours, for licensees holding an active license to practice the profession of optometry.

3. Respondent submitted proof of having completed 12 credit-hours of continuing education,

which is insufficient to satisfy the continuing education requirement because it falls short of the requisite 60 (sixty) approved credit hours pursuant to N.J.S.A. 45:12-9.3 and N.J.A.C. 13:38-4.5. Respondent's original submission was attached as Exhibit A.

CONCLUSIONS OF LAW

1. Respondent has not satisfied the requirements of N.J.S.A. 45:12-9.3 with regard to completion of the appropriate number of approved continuing education credit hours within the statutory time frame.

2. Respondent is subject to sanctions pursuant to N.J.S.A. 45:1-21(h), failure to comply with the provision of an act or regulation administered by the Board, which constitutes grounds for suspension or revocation of any certificate, registration or license, and grounds for sanction pursuant to N.J.S.A. 45:1-25.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline suspending respondent's license to practice Optometry in the State of New Jersey was entered on November 22, 1999 and a copy served on respondent by certified and regular mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor. The respondent failed to submit a written response for Board consideration. The Board considered the matter and determined that further proceedings were not necessary and the Provisional Order Should be made final.

ACCORDINGLY, IT IS on this 19th day of July 2000,

ORDERED that:

1. Respondent's submission of additional credits to the Board as proof of satisfaction of the 60 credits required in continuing education for the 1997-1999 biennial registration must be submitted within 120 days of the receipt of this order. Failure to submit the requested proofs within the time period herein will result in the suspension of the license to practice optometry of the respondent.

2. Respondent shall pay a civil penalty of five hundred dollars (\$500.00) pursuant to N.J.S.A. 45:1-25, for violation of N.J.S.A. 45:12-9.3, N.J.A.C. 13:38-4.5 and N.J.S.A. 45:1-21(h), by means of a check or money order, payable to the New Jersey Board of Optometrists. Such payment is to be sent to the attention of Susan Gartland, Executive Director of the Board at 124 Halsey Street, P.O. Box 45012, Newark, New Jersey 07101, no later than 30 days from the date of receipt of this order.

NEW JERSEY STATE BOARD OF Optometry
By  
Barry Schneider,
Board President

Dated: